

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

Track Three Cases

MDL No. 2804
Case No. 17-md-2804
Judge Dan Aaron Polster

NOTICE OF SERVICE OF DEFENDANTS' MOTION TO EXCLUDE
THE OPINIONS AND TESTIMONY OF DANIEL C. MALONE

Defendants¹ hereby provide notice that, on July 23, 2021, they served unredacted copies of the following documents on all Parties, the Court, and Special Master Cohen. Defendants are now filing redacted copies of the same, where applicable, publicly on the docket.

- Defendants' Motion to Exclude the Opinions and Testimony of Daniel C. Malone;
- Memorandum in Support of Defendants' Motion to Exclude the Opinions and Testimony of Daniel C. Malone;
- Declaration of Tara A. Fumerton, along with the corresponding Exhibits 1, 2, and 3;
- [Proposed] Order Granting Defendants' Motion to Exclude the Opinions and Testimony of Daniel C. Malone; and
- Summary Sheet for the Defendants' Motion to Exclude the Opinions and Testimony of Daniel C. Malone (also attached hereto as Exhibit A).

¹ Defendants are: Walmart Inc. ("Walmart"); CVS Indiana, L.L.C., CVS Rx Services, Inc., CVS Pharmacy, Inc., CVS TN Distribution, L.L.C., and Ohio CVS Stores, L.L.C. (together, "CVS"); Giant Eagle and HBC Service Company (together, "Giant Eagle"); Rite Aid Hdqtrs. Corp., Rite Aid of Ohio, Inc., Rite Aid of Maryland, Inc. d/b/a Rite Aid Mid-Atlantic Customer Support Center and Eckerd Corp. d/b/a Rite Aid Liverpool Distribution Center (together, "Rite Aid"); and Walgreens Boots Alliance, Inc., Walgreen Co. and Walgreen Eastern Co., Inc. (together, "Walgreens").

Dated: August 17, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that, this 23rd day of July 2021, I served a copy of the foregoing via the Court's ECF system to all counsel of record.

/s/ John M. Majoras
John M. Majoras

Attorney for Walmart Inc.